

Application Serial No. 10/529,455  
Reply to office action of May 23, 2007

PATENT  
Docket: CU-4125

**REMARKS/ARGUMENTS**

Reconsideration is respectfully requested.

Claims 1-19 are pending before this amendment. By the present amendment, claims 1-2, 12-13, 15, and 17-19 are amended. No new matter has been added.

In the office action (page 2), claims 12-13 and 15 stand objected to for containing informalities.

In response, claims 12-13 and 15 have been appropriately amended and withdrawal of the rejection is respectfully requested.

In the office action (page 3), claims 2 and 17-19 stand rejected under 35 U.S.C. §112, ¶2 as being indefinite.

In response, claims 2 and 17-19 have been appropriately amended and withdrawal of the rejection is respectfully requested.

In the office action (page 4), claims 1 and 13 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,535,243 (Tullis). Any suffix including "et al." is omitted in a reference name.

The applicants respectfully disagree.

The present invention relates to a device capable of performing data exchange and storage between the device and external storage equipment and between the device and a data processing system. The present invention is capable of transmitting data from external storage equipment to an internal memory module of the device and transmitting data from the internal memory module to the external storage equipment

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regardless of whether the present invention itself is connected to a data processing system. In order to further clarify this feature of the presently claimed invention, claim 1 has been amended to recite:

--wherein the controller module permits data exchange and data access from the internal memory module to the external storage equipment and from the external storage equipment to the internal memory module when the data processing system is not connected--.

Support for this amendment is found at least in the specification page 2, line 40 to page 3, line 4; page 7, line 35 to page 8, line 2; and page 10, lines 15-20.

Tullis does not teach or disclose the invention of claim 1 as amended. The examiner states that Tullis teaches a built-in memory and removable memory. However, nowhere in Tullis teaches that the built-in memory can transfer data to the removable memory without a data processing system being connected. Tullis teaches that the removable memory may augment or completely substitute the built-in memory, but Tullis does **not** teach that the processor in Tullis permits the claimed --data exchange and data access from the internal memory module to the external storage equipment and from the external storage equipment to the internal memory module when the data processing system is not connected-- as recited in claim 1. Even if it is assumed that the invention of Tullis may allegedly "wirelessly transfer data" from the internal memory to a host computer, Tullis does **not** teach that the data located in the built-in memory can be transferred to the removable memory without the assistance of the data processing system.

Additionally, U.S. Patent No. 5,534,921 (Sawanobori) mentioned as a reference of Tullis does **not** teach the exchange of data between the internal memory module and

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the external storage equipment as claimed, which is described above. In Sawanobori, even though the compressed data is recorded onto a memory card, the memory card cannot transfer this data back into any internal memory of the camera. In fact, the memory 6 shown in Sawanobori FIG. 1 is smaller than the entire data to be recorded and is replaced after the data has been compressed and recorded on the memory card (Sawanobori col. 3, lines 34-42 and col 4, line 47 to col. 5, line 8).

In contradistinction, it is clear that data may be transferred from the internal memory module to the external storage equipment in the presently claimed invention. The controller module of the presently claimed invention provides an operating and controlling firmware which drives the data exchange and storage device allowing the device to perform the data storage operation to external storage equipments even when the data exchange and storage device is not attached to any data processing system (specification page 5, lines 3-7).

Accordingly, Tullis does not teach the invention of claim 1 as amended. An indication of allowable subject matter with respect to claim 1 is respectfully requested.

As to claim 13, the applicants respectfully submit that this claim is allowable at least since it depends from claim 1, which is not taught by Tullis.

In the office action (page 6), claims 1, 4-8, 10-12 and 15-19 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,658,202 (Battaglia).

Battaglia does not teach the presently claimed invention of claim 1 as amended for much of the same reasons as described above. Battaglia contains a mass storage device and memory ports for receiving data from a memory module removed from a

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digital camera. However, Battaglia does not teach the claimed --data exchange and data access from the internal memory module to the external storage equipment--.

Battaglia is only capable of downloading information from the flash memory module to the mass storage device. For example, the user interface keys 16 and 18 of Battaglia are used to initiate a download and a copy, but there is no key for initiating an upload or transfer to the flash memory module (Battaglia col. 2, line 66 to col. 3, line 12).

Battaglia describes extracting data from a flash memory module to a mass storage device, and then downloading the data to a personal computer (Battaglia col. 3, lines 40-46). Battaglia also clearly states that the inventions system controller logic includes logic circuitry for transferring data from the flash memory module to the mass storage device (Battaglia col. 4, lines 7-12). Nowhere in Battaglia teaches that the data in the mass storage device may be transferred to the flash memory module without a data processing system being connected.

Battaglia's main system operation is set out clearly in FIG. 4. In Battaglia FIG. 4, block 8 determines whether the operational command is a copy memory module command (Battaglia col. 6, lines 17-20). If the copy memory module operation was not initiated, Battaglia checks to see if an erase memory command has been initiated (Battaglia col. 6, lines 57-60). If an erase memory module has not been initiated, Battaglia determines if a computer interface command was initiated (Battaglia col. 7, lines 18-21). Finally, if no computer interface command has been initiated, Battaglia checks if the power off key was pressed or if the device has sat idle for a specified time (Battaglia col 8, lines 27-33). As is clear from the description of Battaglia's system operation, Battaglia is not capable of sending data from an internal memory module to

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an external storage equipment, as is made possible in the presently claimed invention.

Accordingly, Battaglia does not teach the invention of claim 1 as amended. An indication of allowable subject matter with respect to claim 1 is again respectfully requested.

As to claims 4-8, 10-12, and 15-19, the applicants respectfully submit that these claims are allowable at least since they depend from claim 1, which is now considered to be in condition for allowance for the reasons above.

In the office action (page 13), claims 2-3 stand rejected under 35 U.S.C. §103(a) as being obvious over Battaglia in view of U.S. Patent No. 6,789,164 (Su); claim 9 stands rejected under 35 U.S.C. §103(a) as being obvious over Battaglia in view of U.S. Patent No. 5,014,192 (Mansfield); and claim 14 stands rejected under 35 U.S.C. §103(a) as being obvious over Battaglia in view of U.S. Patent No. 6,208,044 (Viswanadham).

The applicants respectfully submit that these claims are allowable at least since they depend from claim 1, which is now considered to be in condition for allowance for the reasons above.

In the office action (page 17), claims 1, 3-4, and 7 stand provisionally rejected on grounds of non-statutory obviousness-type double patenting over claims 1 and 4-6 of co-pending U.S. Serial No. 10/261001.

The applicants respectfully disagree.

Claim 1 has been amended to clarify that the controller module of the presently

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claimed invention permits data exchange and data access in both directions between the internal memory module and the external storage equipment. The applicants respectfully submit that the present invention of claim 1 as amended reciting the features directed to, inter alia, the information that can be transferred from the storage device to external storage equipment through its second interface are patentably distinct from the copending U.S. Serial No. 10/261001.

Accordingly, the claims of the presently claimed invention and the copending U.S. Serial No. 10/261001 are patentably distinct, and the applicants respectfully request withdrawal of the double patenting rejection.

For the reasons set forth above, the applicants respectfully submit that claims 1-19 pending in this application are in condition for allowance over the cited references. Accordingly, the applicants respectfully request reconsideration and withdrawal of the outstanding rejections and earnestly solicit an indication of allowable subject matter.

This amendment is considered to be responsive to all points raised in the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Respectfully submitted,



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